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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>IN RE:</b>	) Bankruptcy No. 16-21906-CMB
Fred A. Angel, Sr.,	)
<b>Debtor,</b>	) Chapter 13
Fred A. Angel, Sr.,	)
<b>Movant,</b>	)
v.	)
Velocity Commercial Capital, Cynthia Angel,	)
Cumberland Mutual Insurance Group	)
Homestead Cabinet & Display Company, Inc.	)
and Ronda Winnecour, Chapter 13 Trustee,	)
<b>Respondents.</b>	) Document Nos. 140, 145, 153, 174, 180, 189, 194

**ORDER OF COURT**

Whereas the Debtor filed a chapter 13 Amended plan on April 11, 2017 at Document 140;

Whereas, Velocity Commercial Capital LLC filed an objection to the Confirmation of that Plan at Document 142;

Whereas, Velocity Commercial Capital LLC file a Motion for Relief from Stay at Document 153;

Whereas, the Debtor filed an objection to the Velocity Commercial Capital LLC claim at Document 163;

Whereas, the Chapter 13 trustee filed a Motion to Convert the case to a chapter 7 at Document 174;

Whereas, the parties participated in mediation as required by Order of this Court, entered on September 19<sup>th</sup> 2017 at Document Number 194;

Whereas, the parties attended the Mediation on participated in the Mediation conducted by Joel Helmrich on October 6, 2017;

**Whereas, the parties to the Bankruptcy entered into a settlement agreement;**

**AND NOW**, to wit, this 9<sup>th</sup> day of November, 2017, Upon the Settlement and consent of the parties:

It is **ORDERED** that the Cumberland Mutual Fire Insurance Company ("Cumberland Mutual") is authorized to make an interim payment of the Following Sums, to be paid within 15 days after entry of this Order, as follows:

1. The sum of \$347,500.00 to Velocity Commercial Capital LLC as payment in full of all of its claims;

2. The Sum of \$ 22,000.00 to Ronda Winnecour to provide for payment of all allowable unsecured creditors at 100%;

3. The Sum of \$ 2,200.00 by separate check to Ronda Winnecour as a compromised payment for all residential payments made directly by the Debtor and his non-debtor spouse.

4. The Amounts referenced in Paragraph's 2 and 3 above shall be attributable and deducted from Fred Angel's share of the distribution of the insurance proceeds (upon resolution thereof) stemming from the property/business loss under the policies with Cumberland Mutual, and no portion of the amounts in Paragraph 2 and 3, or any other administrative expenses of Fred Angel's bankruptcy case shall be attributable to Cynthia Angel's share.

5. The Mediation fees owed by Fred Angel and Cynthia Angel in the aggregate amount of \$ 6,070.44 shall be paid equally in the amount of \$3,035.22 each. The Mediation Fees owed by Velocity Commercial Capital, LLC are \$2,355.24.

**A. Velocity Commercial Capital LLC** Velocity Commercial Capital LLC shall satisfy the mortgage within 60 days of receipt of the payment as set forth in paragraph 1 above.

This payment of \$ 347,500.00 is in full satisfaction of the borrower(s), any obligees or guarantors on the obligation and Velocity Commercial Capital LLC shall not be entitled to any further payment. This settlement is a compromise of disputed debt and not a forgiveness of debt. This settlement resolves the Objection to the claim of Velocity Commercial Capital LLC at Document 163 and it will be denied as "moot" by this settlement; and this settlement resolves the Motion for Relief from the Automatic Stay of Velocity Commercial Capital LLC at Document 153 and it will be denied as "moot" by this settlement. Furthermore, this settlement shall serve as a waiver of any and all claims by any of the parties against Velocity Commercial Capital, LLC not otherwise addressed in this order.

Velocity Commercial Capital LLC shall pay its portion of the Mediator's fees (\$2,355.24) within 30 days of this Order.

**B. The Chapter 13 Case** This settlement resolves the Motion to Convert filed by the Chapter 13 trustee at Document 174 and it will be denied as "moot" by this settlement

The chapter 13 Plan of the Debtor, dated April 10, 2017, that provides for payment of 100 % to the unsecured creditors is confirmed. The Debtor shall have no further obligation to make any payments because this settlement completely funds the payment of chapter 13 creditors. The chapter 13 Plan of the Debtor, dated April 10, 2017 at Document 140 is confirmed.

The Debtor shall have until December 4, 2017, to file any objections to claims. Calaiaro Valencik shall file their interim fee application by December 4, 2017. The Chapter 13 trustee shall use available funds, after payment to unsecured creditors, to pay the allowed fees to Calaiaro Valencik. Any balance after that payment shall be paid by Fred Angel.

**C. The Balance of the insurance proceeds and Mediation** Cumberland Mutual shall pay the balance of the Insurance claim(s) into the escrow account of Tucker Arensberg, P.C., for the Benefit of Homestead Cabinet & Display Company, Inc., Cynthia Angel or Fred Angel as their interest may appear, pending resolution of any further settlement or Order of Court. Joel Helmrich, Esq., shall continue to serve as Mediator in this matter until further Order of the Court. The Parties shall conclude the mediation on or before December 15, 2017. Fred Angel and Cynthia Angel shall each be responsible for 50% of the Mediator's Fees and Expenses pursuant to the Order of Court entered in this matter at Docket No. 194.

**D. Remaining Claims Not Settled** This settlement does not resolve the remaining claims between Homestead Cabinet & Display Company, Inc., Cynthia Angel or Fred Angel and their consent to this settlement does not waive any claim or defense to any claim raised amongst them. All rights of Homestead Cabinet & Display Company, Inc., Cynthia Angel or Fred Angel are reserved and not prejudiced by this settlement. The mediation shall remain open until the parties settle their disputes or they agree to litigate their remaining claims in the Court of Common Pleas of Allegheny County.

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**E. General Provisions**

Cumberland Mutual shall have no liability to any party for paying these payments money pursuant to this Order. Fred Angel and Cynthia Angel shall execute any documents necessary to effectuate this settlement.

**By the Court:**



**Honorable Carlota M. Böhm  
United States Bankruptcy Judge**

**CONSENT:**

/s/ Donald R. Calaiaro,  
Donald R. Calaiaro, Attorney for the Debtor

/s/ Jordan S. Blask,  
Jordan S. Blask, Attorney for Cynthia Angel

/s/ Jana S. Pail,  
Jana S. Pail, Attorney for the Chapter 13 Trustee

/s/ William E. Miller,  
William E. Miller, Attorney for Velocity Commercial Capital, LLC

FILED  
11/9/17 2:37 pm  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

## Imaged Certificate of Notice Page 6 of 7

United States Bankruptcy Court  
Western District of PennsylvaniaIn re:  
Fred A. Angel, Sr.  
DebtorCase No. 16-21906-CMB  
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: dric  
Form ID: pdf900Page 1 of 2  
Total Noticed: 21

Date Rcvd: Nov 09, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 11, 2017.

db +Fred A. Angel, Sr., 5131 East Willock Road, Pittsburgh, PA 15236-2238  
 aty +Pamela A. Carlos, Bennett, Bricklin & Saltzburg LLC, 1601 Market St. 16th Fl.,  
 Philadelphia, PA 19103-2326  
 cr +Baldwin-Whitehall School District, c/o Weiss Burkardt Kramer, LLC, 445 Fort Pitt Boulevard,  
 Suite 503, PITTSBURGH, PA 15219, UNITED STATES 15219-1308  
 md +Joel M. Helmrich, Dinsmore & Shohl, One Oxford Centre, Suite 2800,  
 Pittsburgh, PA 15219-1400  
 cr +Velocity Commercial Capital, Stern & Eisenberg, PC, 1581 Main Street, Suite 200,  
 Warrington, PA 18976-3400  
 14305003 +Baldwin-Whitehall School District, C/O Weiss Burkardt Kramer, LLC,  
 Laura M. McCurdy, Esquire, 445 Fort Pitt Boulevard, Suite 503, Pittsburgh, PA 15219-1308  
 14255912 +Borough of Baldwin, c/o Goehring Rutter & Boehm, 437 Grant Street, 14th Floor,  
 Pittsburgh, PA 15219-6101  
 14255913 +County of Allegheny, c/o Goehring Rutter & Boehm, 437 Grant Street, 14th Floor,  
 Pittsburgh, PA 15219-6101  
 14243422 +Cynthia Angel, 341 Kramer Way, Pittsburgh, PA 15211-2007  
 14235993 ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180  
 (address filed with court: Ford Motor Credit Company LLC, P. O. Box 62180,  
 Colorado Springs, CO 80962)  
 14243423 Ford Motor Credit, PO Box 542000, Omaha, NE 68154-8000  
 14241834 +Harley-Davidson Credit Corp, PO Box 9013, Addison, Texas 75001-9013  
 14316297 ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096  
 (address filed with court: Nationstar Mortgage, LLC, PO Box 619096, Dallas, TX 75261-9741)  
 14286113 +PNC BANK N.A., PO BOX 94982, CLEVELAND, OH 44101-4982  
 14233460 +PNC Bank, 2730 Liberty Avenue, Pittsburgh, PA 15222-4747  
 14274002 +Velocity Commercial Capital, c/o Seneca Mortgage Corporation, 611 Jamison Road,  
 Elma, NY 14059-9392  
 14233464 +Velocity Commercial Capital LLC, c/o M. Troy Freedman, Esquire, Stern & Eisenberg P.C.,  
 1581 Main Street, Suite 200, Warrington, PA 18976-3400  
 14307449 +Velocity Commercial Capital, LLC, Nationstar Mortgage LLC, PO Box 619096,  
 Dallas, TX 75261-9096

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr E-mail/PDF: rmscedi@recoverycorp.com Nov 10 2017 01:36:18  
 Recovery Management Systems Corporation, 25 S.E. Second Avenue, Suite 1120,  
 Miami, FL 33131-1605  
 14307548 +E-mail/Text: kbarkley@bernsteinlaw.com Nov 10 2017 01:46:03 Duquesne Light Company,  
 c/o Peter J. Ashcroft, Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200,  
 Pittsburgh, PA 15219-1945  
 14239956 E-mail/PDF: rmscedi@recoverycorp.com Nov 10 2017 01:36:39  
 Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120,  
 Miami, FL 33131-1605

TOTAL: 3

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Allegheny County  
 cr Borough of Baldwin  
 cr Cynthia Angel  
 cr Duquesne Light Company  
 cr Nationstar Mortgage LLC  
 intp The Cumberland Mutual Insurance Company  
 cr VELOCITY COMMERCIAL CAPITAL, LLC, A CALIFORNIA LIM  
 cr Velocity Commercial Capital, LLC  
 14236268\* ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180  
 (address filed with court: Ford Motor Credit Company, LLC, P.O. Box 62180,  
 Colorado Springs, CO 80962)  
 14243424\* Ford Motor Credit, PO Box 542000, Omaha, NE 68154-8000  
 14233461\* +PNC Bank, 2730 Liberty Avenue, Pittsburgh, PA 15222-4747  
 14233462\* +PNC Bank, 2730 Liberty Avenue, Pittsburgh, PA 15222-4747  
 14233463\* +PNC Bank, 2730 Liberty Avenue, Pittsburgh, PA 15222-4747  
 14243425\* +PNC Bank, 2730 Liberty Avenue, Pittsburgh, PA 15222-4747  
 14243426\* +PNC Bank, 2730 Liberty Avenue, Pittsburgh, PA 15222-4747  
 14243427\* +PNC Bank, 2730 Liberty Avenue, Pittsburgh, PA 15222-4747  
 14243428\* +PNC Bank, 2730 Liberty Avenue, Pittsburgh, PA 15222-4747  
 14243429\* +Velocity Commercial Capital LLC, c/o M. Troy Freedman, Esquire, Stern & Eisenberg P.C.,  
 1581 Main Street, Suite 200, Warrington, PA 18976-3400

TOTALS: 8, \* 10, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

District/off: 0315-2

User: dric  
Form ID: pdf900

Page 2 of 2  
Total Noticed: 21

Date Rcvd: Nov 09, 2017

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 11, 2017

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 9, 2017 at the address(es) listed below:

David Z. Valencik on behalf of Debtor Fred A. Angel, Sr. dvalencik@c-vlaw.com,  
cylaw.ecf.dvalencik@gmail.com; aheath@c-vlaw.com; kmosur@c-vlaw.com; bhassain@c-vlaw.com; ssimmons@c-vlaw.com  
Donald R. Calaiaro on behalf of Debtor Fred A. Angel, Sr. dcalaiaro@c-vlaw.com,  
cylaw.ecf.dcalaiaro@gmail.com; aheath@c-vlaw.com; kmosur@c-vlaw.com; bhassain@c-vlaw.com; ssimmons@c-vlaw.com  
James Warmbrodt on behalf of Creditor VELOCITY COMMERCIAL CAPITAL, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY bkgroup@kmlawgroup.com  
Jeffrey R. Hunt on behalf of Creditor Borough of Baldwin jhunt@grblaw.com,  
cnoroski@grblaw.com  
Jeffrey R. Hunt on behalf of Creditor Allegheny County jhunt@grblaw.com, cnoroski@grblaw.com  
Jillian Nolan Snider on behalf of Creditor Cynthia Angel jsnider@tuckerlaw.com  
Jordan S. Blask on behalf of Creditor Cynthia Angel jblask@tuckerlaw.com,  
agilbert@tuckerlaw.com; jleeche@tuckerlaw.com; lbuckreis@tuckerlaw.com  
Kevin Scott Frankel on behalf of Creditor Nationstar Mortgage LLC pakb@logs.com  
Laura M. McCurdy on behalf of Creditor Baldwin-Whitehall School District lmccurdy@wbklegal.com  
Matthew James Burne on behalf of Creditor Cynthia Angel mburne@tuckerlaw.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com,  
ckutch@ecf.courtdrive.com; acarr@bernsteinlaw.com  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com  
William E. Miller on behalf of Creditor Velocity Commercial Capital, LLC  
wmiller@sterneisenberg.com, bkecf@sterneisenberg.com  
William E. Miller on behalf of Creditor Velocity Commercial Capital  
wmiller@sterneisenberg.com, bkecf@sterneisenberg.com

TOTAL: 15